

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM HOWE, et al.,)	CASE NO. 5:06 CV 2779
)	
Plaintiffs,)	JUDGE JOHN R. ADAMS
)	
v.)	<u>ORDER</u>
)	
CITY OF AKRON,)	
)	
Defendant.)	

This matter is before the Court on Plaintiffs' Motion seeking the Court to compel production of Defendant's attorney fee records (Doc. 690). Akron has opposed the request. For the reasons that follow, the motion is GRANTED.

Akron contends that disclosure of its fee records is not required in this matter because they would not provide any relevant information. Furthermore, Akron contends that the type and specificity of its objections to Plaintiffs' fees render production of its records unnecessary.

Initially, the Court acknowledges that there is no binding precedent that would compel Akron to turn over its fee records. The Court further acknowledges that the Akron has made numerous, very specific objections to Plaintiffs' fees. At the same time, however, Akron has also made very broad, general objections to the fees, including that the total number of hours was unreasonable considering the case "as a whole." As such, while Akron's own fees may not carry significant weight, they certainly qualify as relevant to the Court's ultimate determination in this matter.

Furthermore, the Court would note the highly unique nature of this litigation. Given the number of issues presented, the multiple trials, and the multiple appeals, there can be no genuine

comparison between this matter and any other case in which fees have been issued. Accordingly, the fees incurred by Akron in segments of this litigation may ultimately prove to be the most probative evidence of the reasonableness **or** unreasonableness of the fees incurred by Plaintiffs for that same segment of the litigation. Accordingly, Akron shall produce its attorney fee records to Plaintiffs' counsel within seven (7) days of this order.

Plaintiffs' motion for an order requiring production of Akron's fee records is hereby GRANTED.

IT IS SO ORDERED.

September 24, 2014
Date

/s/ Judge John R. Adams
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT COURT